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PATENT
Docket No. 500852000101
10/25/02

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LILIA OLSEN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Robert BARHAM and David JOYNT

Serial No.: 09/869,002

Filing Date: June 22, 2001

For: HEAT TOLERANT BROCCOLI

Examiner: C. Collins

Group Art Unit: 1638

REF ID: A
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GROUP 1638

RESPONSE TO RESTRICTION REQUIREMENT

MAILED OCTOBER 3, 2002, PAPER 6

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action with a species election dated October 3, 2002, Paper 6, for which a response is due on November 2, 2002. This response is therefore timely filed. Please enter the following remarks.

REMARKS

Reconsideration is respectfully requested. The Examiner has issued a species election requirement. Contrary to the Examiner's position, the species listed by the Examiner do relate to a single general inventive concept under Rule 13.1. The Examiner asserts that the technical

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